



EXHIBIT A

PATENT APPLICATION

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**DECLARATION OF SCOTT SZABO UNDER 37 C.F.R. §1.132**

I, Scott Szabo, do hereby declare and state as follows:

I am an employee of Sony Electronics, Inc. in San Diego, CA and have been since well prior to June 30, 2003 and July 31, 2003.

During the period of time between prior to June 30, 2003 and after October 31, 2003, I worked directly with Mr. Leo Pedlow, Jr. and Mr. Davender Agnihotri in the capacity of Program Manager. I therefore have direct personal knowledge of certain of their daily activities during that period of time.

During that time period, Mr. Pedlow and Mr. Agnihotri were involved in research and development work relating to Video on Demand (VOD) processing, and in particular, studying various implementation strategies for VOD cable television headends using selective encryption of the VOD content. As a result, it was determined that different strategies developed by Mr. Pedlow and/or Mr. Agnihotri had certain tradeoffs. Such tradeoffs involved, for example, number of encryption devices required, storage capacity required, security of the stored or transmitted content, compatibility with a system with legacy and non-legacy receivers, etc. Mr. Pedlow and/or Mr. Agnihotri devised a number of system designs for cable headend systems, and further Mr. Pedlow and/or Mr. Agnihotri prepared descriptions of the various system designs and comparison tables of the pros and cons of each design, and a report providing details of various system designs. One such report showing the various designs and the above-referenced tables is attached as Exhibit B hereto. This report has heretofore been considered a confidential document of Sony Electronics, Inc.

During that period of time, Sony Electronics, Inc., was involved in trials of it's selective encryption technology (trademark "Passage") in cooperation with a cable service provider, and was simultaneously conducting research into optimizing the strategies for such selective encryption technologies when used in connection with VOD. The report of Exhibit B depicted

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several strategies for use of the Passage technologies in connection with VOD. Portions of this report have been expunged to protect confidential information of either Sony Electronics or the cable service provider. Such expunged information has no bearing on the present matter.

I have personal knowledge of certain of this information being presented to the cable service provider in a different form prior to July 31, 2003 at meetings held on a confidential basis for the purposes of furthering the testing of the Passage™ technology in the area of VOD.

An additional meeting was held on a confidential basis with the cable service provider on August 11, 2003 in which this technology was discussed in the context of Sony Electronic, Inc.'s cooperative trials with the cable service provider

I also have personal knowledge that the dates of the report of Exhibit B are correctly stated as August 9, 2003, August 27, 2003, September 2, 2003 and October 16, 2003.

I also have personal knowledge that Mr. Pedlow and/or Mr. Agnihotri were engaged on practically a daily basis in working on the subject matter of this report and refining the inventions and system designs shown in this report during the time period from well prior to June 30, 2003 through well after October 31, 2003.

Each of the inventions and system designs disclosed in this report are closely interrelated since each design has a tradeoff that has to be considered in relation to the other designs in order to determine how a cable service provider should design a particular cable headend to provide appropriate service to its customers. As a result, work on any one system has implications as to the design and implementation along with the comparative tradeoffs with another of the systems.

I have personal knowledge that each of the systems shown in the report of Exhibit B were conceived and the basic system design work was done prior to July 31, 2003 and prior to June 30, 2003. Additional work was done to refine and document these designs, prepare and refine the report of Exhibit B and prepare of invention disclosures for each of the system design inventions during the time between prior to June 30, 2003 and September 3, 2003.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

Code and that such willful false statements may jeopardize the validity of the application and any patent issued thereon.

Signed: 

Dated: 5-9-2007

By: Scott Szabo